

NEBRASKA RACING & GAMING COMMISSION  
MINUTES OF MEETING

DATE: December 21, 2022  
TIME: 1:30 PM  
LOCATION: Virtual Meeting via ZOOM

PRESENT COMMISSIONERS:

Dennis P Lee	Chairman
Janell Beveridge	Vice Chairperson
Jeffrey Galyen	Commissioner
Shane Greckel	Commissioner
Shelby Bakenhus	Commissioner
Tony Fulton	Commissioner
Trent Loos	Commissioner

ABSENT:

Chm. Lee convened the meeting at 1:38 pm in compliance with the provision of Neb. Rev. Stat. 84-1411. Notice of the meeting was published in the Lincoln Journal Star on December 16, 2022, with a link to the Zoom meeting. In addition, copies of such notice were sent to those on the Racing and Gaming Commission agenda mailing list. Notification was given to the public of the open meetings law and notification to its location for public view.

APPROVAL OF MEETING MINUTES AND FINANCIAL REPORTS

Beveridge moved with Fulton seconding to approve the November 9, 2022, Meeting Minutes. Voting Aye: Lee, Beveridge, Greckel, Fulton, Loos. Abstaining: Galyen, Bakenhus. Motion carried.

Fulton motioned and Beveridge seconded to approve the November 2022 Financial Reports. Voting Aye: Lee, Beveridge, Galyen, Bakenhus, Fulton, Loos. Motion carried.

SIMULCAST APPLICATIONS JANUARY 1, 2023, THROUGH FEBRUARY 9, 2023

Lynne McNally of the Nebraska HBPA along with Zach Mader with the Nebraska Thoroughbred Breeders Association both showed their approval of these applications. Greckel moved and Loos seconded. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

DISCUSSION – CONSTRUCTION COMMITTEE UPDATES AND RECOMMENDATIONS

Galyen started the conversation with asking the Commission what the role of the Construction Committee will have in the future. Lee recommended that this item along with the Strategic Planning Committee Update and Recommendations be tabled until the next meeting.

HARRAH'S NEBRASKA, LLC AND COLUMBUS EXPOSITION AND RACING

Lee motioned to approve the modifications in the Agricultural Park Ballroom in reference to Administrative Title 294 Rule 3.001.14 that may be amended in the future. Galyen seconded. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried. CER's request to remodel the stewards stand was moved by Greckel and seconded by Beveridge. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

Ken Yoho from the Attorney General's office notified that the opinion regarding the Intra-County Transfer of a Gaming License Associated with an Intra-County Transfer of a Racing License will not be ready until January, Lee tabled this item until the next meeting. Lee motioned and Greckel second to approve Harrah's Nebraska, LLC and CER's request to continue with Core and Shell Construction of a Racing and Gaming Facility. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

#### GRAND ISLAND CASINO RESORT – AUTHORIZED GAMING OPERATORS LICENSE

Beveridge moved and Loos seconded to approve the authorized gaming operator's license for Grand Island Casino Resort at Fonner Park. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

Lee motioned and Beveridge seconded to approve the days and times of operations of Grand Island Casino Resort. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

#### DIRECTIVE 22-23 – EMBRYO TRANSFER NEBRASKA QUARTER HORSE RACING

Lee motioned to permit embryo transfers in compliance with NQHA, embryo transfer guidelines as set forth in the four items that are included in the directive and the directive take place immediately. Galyen seconded. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

#### RECESS

There was a recess from 3:29 until 3:40pm.

#### IT MANAGER

Aaron Courtright introduced himself to the commissioners as the newly appointed IT Manager for the Nebraska Racing and Gaming Commission. He discussed some short- and long-term goals along with IT Security. He asked the commissioners to notify him if they want laptops soon.

#### COMPLIANCE DIRECTOR

Casey Ricketts appeared describing how she has been working with Warhorse Lincoln, Grand Island Casino Resort, Racing and Gaming Commission staff, and local law enforcement to create a task force to battle human trafficking in Nebraska with the Human Trafficking and Problem Gaming NRGCC Committee.

#### WARHORSE GAMING OMAHA, LLC SITE PREPARATION WORK

Chm. Lee said this item was approved over email but needed ratification, so he moved to approve the site preparation work for Warhorse Gaming Omaha, LLC. Loos seconded. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

#### RESOLUTION OPPOSING HISA

Like the previous item, Lee mentioned this item was approved over email and moved with Fulton seconding to unconditionally supporting Louisiana's efforts to challenge the Horseracing Integrity Safety Act in their lawsuit. Voting Aye: Lee, Beveridge, Galyen, Greckel, Bakenhus, Fulton, Loos. Motion carried.

### DIRECTOR'S UPDATE

Director of Enforcement Steve Anderson gave an update as Executive Director Sage is currently on leave. Anderson said the new office location for the commission will be ready in March. The other items have been tabled until the next meeting.

### MEETINGS WITH ASSOCIATIONS

Nebraska Thoroughbred Breeders Association – Zach Mader said the live meet contract with Fonner Park has been signed sharing revenue generated from the casino.

Nebraska Horsemen's Benevolent and Protective Association – Lynne McNally said that for the next meeting they will amend the Legacy Downs racetrack enclosure as they purchase the neighboring 155 acres for barn development.

Nebraska Quarter Horse Racing Association – none

Nebraska Quarter Horse Breeders Association – Ed Zimba thanked the commission for approving the embryo directive, as it's like other states and works with the AQHA.

### PUBLIC COMMENTS

There were none.

### EXECUTIVE SESSION AND ADJOURNMENT

An executive session was held from 4:25pm until 5:02pm. During the session, they discussed the topic of personnel and a consideration of an opinion from the Attorney General regarding racing rule 3.001.14. The next commission meeting will be January 13<sup>th</sup> at 1:30pm via Zoom. The meeting was adjourned at 4:04pm.